

REMARKS

Claims 17, 19-21, and 31 are allowed. Claims 1-7 and 30 are rejected.

In this Amendment, claims 1-2, 7, and 31 are amended. Claims 28-29 are canceled without prejudice. The amendments to claims 1, 2, and 7 address the Examiner's rejections. The amendment to claim 31 provides a missing word. No new matter is introduced.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 1-7, and 30 are rejected under 35 U.S.C. §112 ¶2 as indefinite.

Responsive to item 1) at p. 2 of the Advisory, Applicants have amended claim 1 to recite the concentration effective for the function of diagnosing the patient. This is supported at least at p. 15 lines 21-22 "The compositions are administered in doses or concentrations that are effective to achieve the desired diagnostic or therapeutic objective". The preamble of claim 1 recites "A method of diagnosing a patient...." Thus, the concentration administered is effective "for diagnosing the patient", as the amended claim recites.

Responsive to item 2) at p. 2 of the Advisory, Applicants have amended claim 2 to delete non-peptide members of the group. A person of ordinary skill will know that a peptide or peptidomimetic may include drugs.

Responsive to item 3) at p. 2 of the Advisory, Applicants have amended claim 7 to delete anatomical or physiological sites that typically do not contain the recited receptor. As previously analyzed, at least lesions, necrotic tissues, ischemic tissues, and inflammatory tissues may contain the recited receptor, and thus are properly included in claim 7.

For at least these reasons, Applicants assert that the remaining rejections, which the Examiner listed as 1), 2) and 3) at p. 2 of his Advisory Action, are overcome, and request their withdrawal.

CONCLUSION

All claims are in complete condition for allowance. Applicants authorize credit card payment of the RCE and extension of time fees (see Electronic Fee Calculation sheet). If other fees are necessary, the Office is authorized to charge them to Deposit Account No. 20-0809.

The Examiner is invited to contact Applicants' undersigned representative with questions.

Respectfully submitted,
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